

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING

OF
TUESDAY, MAY 4, 1982
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:36 a.m. with no quorum present. A quorum was present at 8:38 a.m. with Council Members Golding and Killea not present. The meeting was recessed by Mayor Wilson at 8:53 a.m. into Closed Session in the Twelfth Floor Conference Room on pending litigation. The meeting was reconvened by Mayor Wilson at 9:11 a.m. with Council Members Cleator, Golding and Killea not present.

Mayor Wilson introduced and welcomed 5th and 6th students from Marshall Elementary School, accompanied by their Principal, Mr. Charles Lazzaro. The meeting was recessed by Mayor Wilson at 10:33 a.m.

The meeting was reconvened by Mayor Wilson at 10:55 a.m. with Council Members Golding and Killea not present. The meeting was recessed by Mayor Wilson at 11:19 a.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Wilson at 2:08 p.m. with Council Members Cleator, Golding, Williams and Killea not present. The meeting was recessed by Mayor Wilson at 2:20 p.m. to meet in Closed Session in the Twelfth Floor Conference Room on pending litigation. The meeting was reconvened by Mayor Wilson at 3:08 p.m. with Council Members Cleator, Golding, and Killea not present. The meeting was recessed by Mayor Wilson at 3:17 p.m. to meet in Closed Session in the Twelfth Floor Conference Room on a meet and confer matter. The meeting was reconvened by Mayor Wilson at 4:32 p.m. with Council Members Golding, Williams, and Killea not present. Mayor Wilson adjourned the meeting at 4:36 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
 - (1) Council Member Mitchell-present.
 - (2) Council Member Cleator-present.
 - (3) Council Member Golding-excused by R-256334 (illness).
 - (4) Council Member Williams-present.
 - (5) Council Member Struiksmma-present.
 - (6) Council Member Gotch-present.
 - (7) Council Member Murphy-present.
 - (8) Council Member Killea-excused by R-256333 (vacation).
- Clerk-Abdelnour (jb a.m.; eb p.m.)

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:
Mayor Wilson-present.
Council Member Mitchell-not present.
Council Member Cleator-not present.
Council Member Golding-not present.
Council Member Williams-not present.
Council Member Struiksmma-present.
Council Member Gotch-present.
Council Member Murphy-not present.
Council Member Killea-not present.

ITEM-330: (O-82-213) INTRODUCED, TO BE ADOPTED MAY 17, 1982

INTRODUCTION of an ORDINANCE INCORPORATING the following existing mobilehome parks in the CENTRAL AREA into MOBILEHOME PARK OVERLAY ZONE, as defined by SECTION 101.1001 of the SAN DIEGO MUNICIPAL CODE: 1. Acacia Imperial Mobile Park, 325 54th Street, San Diego (HUBBARD and WALTER ESTATE, MAP-3425 and LOT M and a PORTION of LOT I, LOS ALTURAS NO. 3, MAP- 1988). (DISTRICT-3.) 2. Bayview Trailer Park, 2003 Bayview Heights Drive, San Diego (BAYVIEW PARK NO. 1, MAP-6588). (DISTRICT-3.) 3. Bonita Paradise, 1951 Calle Abajo, San Diego (a PORTION of PARADISE SOUTH, MAP-6673 and PARADISE SOUTH NO. 2, MAP-6784). (DISTRICT-8.) 4. Leisureland Mobile Villa, 1951 47th Street, San Diego (a PORTION of LOTS 2, 3, and 13, HORTON'S PURCHASE, MAP-283). (DISTRICT-3.) (Case-5-81-098 -

City-initiated.)

FILE LOCATION:

ZONE 5/4/82

COUNCIL ACTION: (Tape location: A018-182).

Hearing began at 8:39 a.m. and halted at 8:52 a.m.

Testimony in favor by Frank Esmond.

MOTION BY GOTCH TO CLOSE THE HEARING AND INTRODUCE THE ORDINANCE,

APPROVING THE THREE MOBILEHOME PARKS RECOMMENDED BY PLANNING

DEPARTMENT (BAYVIEW TRAILER PARK, BONITA PARADISE AND LEISURELAND

MOBILE VILLA). Second by Struiksmma. Passed by the following vote:

Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea,

Struiksmma-yea, Gotch-yea, Murphy-yea, Killea-not present, Mayor

Wilson-yea.

ITEM-331: APPEAL DEEMED DENIED - (PLANNING COMMISSION'S DECISION UPHELD)

19820504

APPEAL of PENINSULA LITTLE LEAGUE, by Stephen Lusk and the COMMITTEE FOR RESPONSIBLE RECREATION AND SAFE HOUSING, by Garfield, Schwartz and Copeland, from the decision of the PLANNING COMMISSION in APPROVING TENTATIVE SUBDIVISION MAP-02-249-0 (WOODLAND APARTMENTS) which proposes a one-lot subdivision of a portion of PUEBLO LOT 206 of the PUEBLO LANDS OF SAN DIEGO, MISCELLANEOUS MAP- 36 and BLOCKS 1A, 1, 7, 8 and 9 LOMA ALTA NO. 1, MAP-1078. The subject property is located on the southeast corner of Famosa and Nimitz Boulevards, in the R-2A and R-3 ZONES and within the boundaries of the Peninsula Community Plan.

(TM-02-249-0. DISTRICT-2.)

Subitem-A: (R-82-)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-10-29 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-82-)

Adoption of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

FILE LOCATION: SUBD Woodland Apartments

COUNCIL ACTION: (Tape location: A210-C059 & C076-155)

Hearing began at 9:11 a.m. and halted at 10:25 a.m.

Hearing resumed at 10:26 a.m. and halted at 10:33 a.m.

Testimony in favor by Stephen Lusk, William Swartz, Thomas J. Carroll and LeRoy Rivers.

Testimony in opposition by John Thelan, Shoford Swift, David Riber and Richard Graghorn.

Stephen Lusk withdrew the appeal of Peninsula Little League.

MOTION BY CLEATOR TO CLOSE THE HEARING, UPHOLD THE APPEAL AND DENY THE MAP. Second by Murphy. Failed for lack of 5 affirmative votes as follows: Mitchell-nay, Cleator-yea, Golding-not present, Williams-nay, Struiksma-nay, Gotch-nay, Murphy-yea, Killea-not present, Mayor Wilson-nay.

ITEM-332: APPEAL DENIED, MAP GRANTED

19820504

APPEAL of JAMES RODNEY YOUNGSON from the decision of the PLANNING COMMISSION in APPROVING PRELIMINARY PARCEL MAP PM-02-278-0 which proposes a two-parcel map of LOT 67 and PORTIONS of LOTS 69 and 70, LA JOLLA HILLS, MAP-1479, located on Hillside Drive between Castellana Road and Via Siena in the R-1-8 ZONE and within the boundaries of the La Jolla Community Plan.

(PM-02-278-0. DISTRICT-1.)

Subitem-A: (R-82-) ADOPTED AS RESOLUTION R-256337

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-12-07 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-82-) ADOPTED AS RESOLUTION R-256338

ADOPTION of a RESOLUTION granting the appeal and denying the map, or denying the appeal and granting the map with appropriate findings to support Council action.

FILE LOCATION: SUBD Lots 69 and 70, La Jolla Hills, Map-1479

COUNCIL ACTION: (Tape location: C160-429).

Hearing began at 10:56 a.m. and halted at 11:14 a.m.

Testimony in favor by Rodney Youngson.

Testimony in opposition by Eric Catlin.

Motion by Mitchell to close the hearing, uphold the appeal and deny the map. No second.

MOTION BY CLEATOR TO CLOSE THE HEARING, ADOPT SUBITEM A AND SUBITEM B, DENYING THE APPEAL AND GRANTING THE MAP. Second by Struiksma. Passed by the following vote: Mitchell-nay, Cleator-yea, Golding-not present, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-not present, Mayor Wilson-yea.

ITEM-333:

19820504

APPEAL of MR. and MRS. J. R. JORDAN, by Procopio, Cory, Hargreaves and Savitch, from the decision of the PLANNING COMMISSION in APPROVING an Amendment to CONDITIONAL USE PERMIT CUP-10-301-0, to redesign the parking lots, tennis courts and athletic field at the Bishop's School in the R-3 ZONE. The subject property is located on the south side of Prospect Street, between La Jolla Boulevard and Draper Avenue, in the La

Jolla Community Plan area, and is more particularly described as LOTS 1-10, 12-13, 45-46, BLOCK 12; LOTS 1, 27-37, BLOCK 13; LOTS 1-24, BLOCK 18; LOTS 3-15, 16-20, BLOCK 19; all of LA JOLLA PARK MAP-252, and portions of CUVIER and RAVINA STREETS CLOSED.

(CUP-10-301-2. DISTRICT-1.)

Subitem-A: (R-82-) ADOPTED AS RESOLUTION R-256335

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-81-12-34 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-82-) APPEAL DENIED AS RESOLUTION R-256336

ADOPTION of a RESOLUTION granting the appeal and denying the amendment to the permit, or denying the appeal and granting the amendment to the permit with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-10-301-2

COUNCIL ACTION: (Tape location: D115-322).

Hearing began 2:15 p.m. and recessed 2:20 p.m. Hearing resumed 3:08 p.m. and halted 3:16 p.m.

Testimony requesting a continuance by Gordon Johnson.

Testimony requesting that the item be trailed for 30 minutes by Richard Bevin.

Testimony in opposition to the appeal by Tom Feter.

Motion by Mitchell to continue 2 weeks at Mr. Johnson's request.

No second.

MOTION BY MITCHELL TO CLOSE THE HEARING AND ADOPT SUBITEM-A
AND

SUBITEM-B, DENYING THE APPEAL AND GRANTING THE AMENDMENT TO
THE

PERMIT WITH MODIFICATIONS AGREED TO BY THE PARTIES WITH THE
FINDINGS OF THE PLANNING COMMISSION TO SUPPORT COUNCIL ACTION.

Second by Williams. Passed by the following vote: Mitchell-yea,

Cleator-not present, Golding-not present, Williams-yea,

Struiksma-yea, Gotch-yea, Murphy-yea, Killea-not present, Mayor

Wilson-yea.

ITEM-S500: PRESENTED

Presenting to the MAYOR and COUNCIL OFFICIALS from the CITY
OF CELI, COLUMBIA. (This group will arrive at approximately

2:00 p.m.)
FILE LOCATION:
MEET
COUNCIL ACTION: (Tape location: D031-114).

ITEM-S501: (R-82-1863) ADOPTED AS RESOLUTION R-256339

Authorizing the execution of an AGREEMENT with the Regents of the University of California for the purpose of PROVIDING CITY LIFEGUARD SERVICES on the BEACH adjacent to the UNIVERSITY OF CALIFORNIA, SCRIPPS INSTITUTION OF OCEANOGRAPHY, for a period of May 8 through June 13, 1982; the amount of \$2,041.43 will be reimbursed to the City by the Regents for consideration.

(See City Manager Report CMR-82-122.)

COMMITTEE ACTION: Initiated by PSS on 4/28/82. Recommendation to ADOPT the Resolution. Districts 5, 7, and 8 voted yea. Districts 1 and 6 not present.

FILE LOCATION:
MEET

COUNCIL ACTION: (Tape location: C430-522).

MOTION BY GOTCH TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, Golding-not present, Williams-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Killea-not present, Mayor Wilson-yea.

ITEM-UC-3: (R-82-1894 Rev) ADOPTED AS RESOLUTION R-256343

A Resolution presented to the City Council with UNANIMOUS CONSENT:

Authorizing the City Manager to execute a Third Amendment to Agreement with Stone and Youngberg, for the purpose of amending the Agreement for the purchase of bonds for the Sunset Cliffs Stabilization Assessment District Project; authorizing the expenditure of \$1,064,658 from Capital Improvement funds for the purpose of providing funds for the guarantees required for the foregoing contract.

FILE LOCATION:
MEET

COUNCIL ACTION: (Tape location: D322-343).

MOTION BY CLEATOR TO ADOPT. Second by Struiksma. Passed by the following vote: Mitchell-yea Cleator-yea Golding-not present Williams-not present Struiksma-yea Gotch-yea Murphy-yea Killea-not present Mayor Wilson-yea.

ITEM-CS-1: (R-82-1880) ADOPTED AS RESOLUTION R-256340

A Resolution adopted by the City Council in Closed Session on May 4, 1982:

Authorizing the City Manager to pay the total sum of \$10,000.00 in the settlement of Superior Court Case No. 443272, Virzi-Wyatt, Inc. etc. v. The City of San Diego, et al., and of each and every claim against The City of San Diego, its agents and employees resulting from property damages to Virzi-Wyatt, Inc.; authorizing the City Auditor and Comptroller to issue one check in the total amount of \$10,000, made payable to Virzi-Wyatt, Inc. and their attorney, Ronis, Ronis and Ronis, in full settlement of the lawsuit and of all claims.

ITEM-CS-2: (R-82-1881) ADOPTED AS RESOLUTION R-256341

A Resolution adopted by the City Council in Closed Session on May 4, 1982:

Authorizing the City Manager to pay the total sum of \$13,470.38 in the settlement of Superior Court Case No. 441988, Federal Insurance Co., etc., et al. v. The City of San Diego, et al., and of each and every claim against The City of San Diego, its agents and employees resulting from property damage to Federal Insurance Co. and Topper, Lasry & Topper; authorizing the City Auditor and Comptroller to issue two checks in the total amount of \$13,470.38; one check in the amount of \$10,520.78 made payable to Federal Insurance Co. and its attorney McInnis, Fitzgerald, Rees, Sharkey & McIntyre; and one check in the amount of \$2,949.60 made payable to Topper, Lasry & Topper, A General Partnership, and their attorney McInnis, Fitzgerald, Rees, Sharkey & McIntyre, in full settlement of the lawsuit and of all claims.

ITEM-CS-3: (R-82-1872) ADOPTED AS RESOLUTION R-256342

A Resolution adopted by the City Council in Closed Session on May 4, 1982:

Authorizing the City Attorney to pay Leighton & Associates an amount not to exceed \$15,000, in addition to the amount authorized by Resolution No. R- 253980, for services rendered in connection with the Summit Ridge landslide litigation; authorizing the expenditure of an amount not to exceed \$15,000 from the General Fund Unallocated Reserve for the above purpose.

ADJOURNMENT:

By common consent the meeting was adjourned by Mayor Wilson
at 4:36 p.m.

FILE LOCATION:

MINUTES

COUNCIL ACTION: (Tape location: D343-345).